



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/444,546	11/22/1999	ROBERT G. MAIER	29967US1	8799

116 7590 05/17/2002

PEARNE & GORDON LLP  
526 SUPERIOR AVENUE EAST  
SUITE 1200  
CLEVELAND, OH 44114-1484

EXAMINER	
COHEN, CURTIS A #11	
ART UNIT	PAPER NUMBER
3634	

DATE MAILED: 05/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Response to Rule 312  
Communication**

Application No.  
**09/444,546**

Applicant(s)  
**Maier**

Examiner  
**Curtis Cohen**

Art Unit  
**3634**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on Apr 23, 2002 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

*Applicant's representative recount of the telephone interview was substantially correct with the exception that the examiner failed to call on Monday or Tuesday to inform Mr. Bodi's office of the status of the case. The examiner phoned the office and left a message that the case was unretrievable and that any communication thereafter must be in a 312 amendment.*

*Consequently, the case will not be withdrawn from allowability because the examiner and applicant's representative agreed to allowable subject matter. If applicant disagrees with the indication of allowable subject matter, then a continuation application would be necessary to further prosecute this case.*

  
**CURTIS COHEN  
PRIMARY EXAMINER  
ART UNIT 3634**